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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
STEVEN RAYMON WALLER,  
  
Defendant.

CASE NO. 2:23-CR-0122 DAD

MOTION TO RECALL ARREST WARRANT FOR  
DEFENDANT STEVEN RAYMON WALLER AND  
ISSUE A SUMMONS

Plaintiff United States of America, by and through its undersigned counsel, moves to recall the arrest warrant issued on May 4, 2023, for defendant Steven Raymon Waller (“Waller”) in *United States v. Steven Raymon Waller*, Case No. 2:23-CR-0122 DAD. This motion further requests that a summons be issued for Steven Raymon Waller for an initial appearance date on August 1, 2023, before Magistrate Judge Jeremy D. Peterson at 2:00 p.m. This motion is brought pursuant to Rule 4 of the Federal Rules of Criminal Procedure and is based upon the facts set forth below.

1. On May 4, 2023, a grand jury in this district indicted Waller in *United States v. Steven Raymon Waller*, Case No. 2:23-CR-0122 DAD. In connection with the indictment, an arrest warrant was issued for Waller pursuant to Rule 4(a).
2. On or about July 19, 2023, Waller contacted the FBI case agent. The case agent told Waller that there was a warrant for his arrest.
3. Subsequently, attorneys from the Federal Defender’s Office contacted the undersigned

1 regarding representing Waller.

2 4. On July 26, 2023, counsel for Waller placed Waller's initial appearance on calendar for  
3 August 1, 2023 at 2:00 p.m. before Judge Peterson. ECF No. 7.

4 THEREFORE, I respectfully move the Court to recall the arrest warrant and issue a summons for  
5 Waller to appear on August 1, 2023 at 2:00 p.m. before Judge Peterson.

6 Dated: July 27, 2023

7 PHILLIP A. TALBERT  
United States Attorney

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9 By: /s/ NICHOLAS M. FOGG  
NICHOLAS M. FOGG  
10 Assistant United States Attorney  
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STEVEN RAYMON WALLER,  
  
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CASE NO. 2:23-CR-0122 DAD

[PROPOSED] ORDER GRANTING MOTION TO  
RECALL ARREST WARRANT FOR DEFENDANT  
STEVEN RAYMON WALLER AND ISSUE A  
SUMMONS

The United States moves pursuant to Rule 4(a) of the Federal Rules of Criminal Procedure to recall the arrest warrant issued on May 4, 2023, for Steven Raymon Waller in the case of *United States v. Steven Raymon Waller*, Case No. 2:23-CR-0122-DAD. For the reasons set forth in the United States' motion, the Court GRANTS the motion. Accordingly, IT IS HEREBY ORDERED:

1. The arrest warrant issued on May 4, 2023, for Steven Raymon Waller in the case of *United States v. Steven Raymon Waller*, Case No. 2:22-CR-0122-DAD, is recalled.

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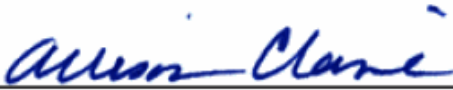
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2. Pursuant to Rule 4(a) of the Federal Rules of Criminal Procedure, the Court will issue a summons for defendant Steven Raymon Waller to make his initial appearance on August 1, 2023, at 2:00 p.m. before United States Magistrate Judge Jeremy D. Peterson.

IT IS SO ORDERED.

DATED: July 27, 2023

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE